

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

—
No. 6:24-cv-00366

—
Willie T. Oliver,
Petitioner,

v.

—
Director, TDCJ-CID,
Respondent.

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ORDER

Petitioner Willie T. Oliver, then a prisoner of the Texas Department of Criminal Justice proceeding pro se, filed this habeas action without paying the filing fee. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 2.

On December 3, 2024, the magistrate judge issued a report recommending that this case be dismissed without prejudice due to petitioner's failure to comply with the court's orders to file an amended petition and satisfy the fee requirement. Doc. 4. A copy of the report was mailed to petitioner at his last known address, but it was returned as undeliverable because petitioner had been discharged from prison and failed to notify the court of his change of address. Doc. 5.

The Local Rules state that a pro se litigant "must provide the court with a physical address . . . and is responsible for keeping the clerk advised in writing of his or her current physical address." E.D. Tex. Local Rule CV-11(d); *see also Anderson v. Munger*, No. 5:17-cv-00175, 2019 WL 2929056, at *1 (E.D. Tex. July 8, 2019) ("The Court has no duty to locate litigants . . ."). Petitioner has not otherwise filed objections to the report.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being

satisfied that it contains no clear error, the court accepts its findings and recommendation. Petitioner's action is dismissed without prejudice for failure to comply with an order of the court and for failure to satisfy the fee requirement. Any pending motions are denied as moot.

So ordered by the court on March 6, 2025.



J. CAMPBELL BARKER
United States District Judge